

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

SHAKIR ADAMS,

Petitioner,

v.

No. 2:13-cv-2331
2:12-cr-2240

CHERRY LINDAMOOD, Warden

Respondent.

CORRECTED COUNSEL FOR PETITIONER'S MOTION TO WITHDRAW

Comes now counsel for the Petitioner, Robert Brooks, Attorney, and moves the Court to allow him to withdraw as counsel for the Petitioner. For grounds counsel would show to the Court as follows:

1) U.S.Dist.Ct.Rules W.D.Tenn., LR83.5 Attorneys--Withdrawal

From Representation, provides, in pertinent part, as follows:

No attorney of record may withdraw in any case except on written motion and Court order. All motions for leave to withdraw shall include the reasons requiring withdrawal If the name of substitute counsel is not known, the motion shall set forth the name, address and telephone number of the client, as well as . . . a certificate of service on the client. . . .

2) The matter is presently pending the decision of the Court on the merits.

3) Counsel has been hired as of October 5, 2015, by the Federal Public Defender, and is prohibited from acting in any of his former cases except for the purpose of withdrawing.

4) "an employee [of the Department of Justice] is prohibited from engaging in any practice of law which involves a criminal matter, be it Federal, state or local, or any matter in which the Department is or represents a party. The paid practice of law is also prohibited."

5 C.F.R. § 3801.106

5) "[W]ithdrawal can be accomplished without material adverse effect on the interests of the client." Tenn.Sup.Ct.Rule 8, RPC 1.16.

6) Counsel has been advised that his position as a research and writing attorney prohibits his representing client's in court.

WHEREFORE COUNSEL MOVES that counsel be appointed to represent the Petitioner.

Respectfully submitted,

Robert Brooks, Attorney
2299 Union Ave
Memphis, TN 38104
(901)763-2832

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached motion was forwarded by electronic means via the Court's electronic filing system to Andrew H. Smith, Asst. Atty. Gen., PO Box 20207, Nashville, TN, 37202, and by mailing a copy of the same to Shakir Adams #324670, WTSP, PO Box 1150, Henning TN 38041-1150, on October 19, 2015.

Robert Brooks, Attorney